

U.S. Serial No.: 09/956,899
Amendment Under 37 C.F.R. §1.111 dated June 17, 2004
Response to the Office Action of March 22, 2004

REMARKS

Claim 14 was canceled without prejudice or disclaimer. New claim 16 was added. Therefore, claims 13, 15 and 16 are now pending in the present application. The rejections set forth in the Office Action are respectfully traversed below.

Rejections Under 35 U.S.C. §102

Claims 13 – 15 were rejected under 35 U.S.C. §102(b) over **Naoki** (JP 9-259391). This reference had been discussed in the prosecution of the parent application Serial No. 09/280,699. It is submitted that nothing in the cited prior art teaches or suggests distinguishing between *different* communication protocols (one which is suited, and another one which is not suited for making a communication while moving) in identifying the “type” of communication equipment coupled to a computer. Different types of communication protocols are described, for example, on page 1, lines 26-30 of the specification, to include a mobile telephone system and a PHS telephone system.

Naoki merely describes identifying the “model” of the telephone set, such as a “digital 9600 telephone” and a “digital 2400 telephone.” However, both of these “models” employ the *same* communication protocol. In other words, both of these “models” employ a communication protocol that is only suited for making a communication while moving. **Naoki** does not teach or suggest any identification between *different* communication protocols, such as between a communication protocol suited for mobile communication and a communication protocol

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unsuited for mobile communication. For at least these reasons, the present claimed invention, as amended, patentably distinguishes over the prior art.

Information Disclosure Statement

The Applicant appreciated the return of the signed Forms PTO-1449s for the Information Disclosure Statements (IDSs) filed March 6, 2003, June 17, 2003, and February 26, 2004. However, the Examiner did not return a signed Form PTO-1449 for the IDS filed on September 21, 2001 (copy attached with USPTO stamped post card indicating receipt by the USPTO). The Examiner is respectfully requested to return a signed Form PTO-1449 indicating consideration of the references cited in the IDS filed September 21, 2001.

Acknowledgement of Foreign Priority

The certified copy of the foreign priority document was filed in the parent application serial no. 09/280,699. However, the Office Action Summary did not correctly indicate such receipt in box 12(a)(2). Correct indication of receipt of the certified foreign priority document is respectfully requested.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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Enclosure: Information Disclosure Statement filed September 21, 2001 with USPTO stamped postcard

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